

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 1. This sheet, which includes Figs. 1, 2A and 2B, replaces the original sheet including Figs. 1, 2A and 2B.

Attachment: Replacement Sheet (1)

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 38-96 are presently active in this case. Claims 1-37 were cancelled by a preliminary Amendment. The present Amendment amends Claim 38, and adds new Claims 75-96 without introducing any new matter.

The outstanding Office Action objected to the Figures and the Specification for informalities because of informalities. Claims 38-65 and 67-74 were rejected under 35 U.S.C. § 102(e) as anticipated by Reed et al. (U.S. Patent Publication No. 2003/0141453, hereinafter “Reed”). Claim 66 was rejected under 35 U.S.C. § 103(a) as unpatentable over Reed in view of Belcher et al. (U.S. Patent No. 5,436,450, hereinafter “Belcher”).

In response to the objection to the drawings, submitted herewith is a Letter Submitting Drawing Sheets along with one Replacement Sheet for Figs. 1, 2A, and 2B, adding the label “Prior Art” to Fig. 1. No new matter has been introduced by the replacement sheet.

Moreover, the Specification has been amended to correct the noted informalities as pointed out in the pending Office Action on p. 2, ll. 11-15. These changes are also only formal and do not raise questions of new matter.

In response, independent Claim 38 is amended to recite “wherein the substrate surrounds the carrier and is mechanically joined to the substrate by a suspending means, the carrier being mobile relative to the substrate, and being able to move along an horizontal plane in parallel to the carrier.” These features find non-limiting support in Applicants’ disclosure as originally filed, for example in the specification at p. 21, ll. 4-6, and at p. 22, ll. 28-30, and in corresponding Figs. 7A, 7B, 8A, and 8B. Because the features are supported by the disclosure, no new matter has been added by this amendment.

In addition, new Claims 75-96 have been added. New Claim 75 recites all the features of Applicants' Claim 38, and the features of dependent Claim 40. New dependent Claims 76-96 correspond to the features of dependent Claims 39-75, respectively. No new matter has been added.

In response to the rejection of independent Claims 38 under 35 U.S.C. § 102(e), Applicants respectfully request reconsideration of this rejection and traverse the rejection, as discussed next.

Briefly summarizing, Applicants' Claim 38 is directed to a device for measuring radiant energy. The device includes, *inter alia*: a carrier including first device allowing absorption of radiant energy, and second device enabling provision of one or more electric signals in relation to the absorbed radiant energy; and a substrate including a reading device for reading the electric signals. In addition, ***the substrate surrounds the carrier and is mechanically joined to the substrate by a suspending means***, the carrier being mobile relative to the substrate, and ***being able to move along an horizontal plane in parallel to the carrier***.

Turning now to the applied references, Reed is directed to a infrared sensing apparatus 101 that has a suspended platform including a sensor member 120 operatively connected to a levitation mechanism 140, to reduce the loss of IR energy, which normally dissipates in the form of heat. (Reed, Abstract, p. 3, ¶ [0054], Figs. 4A-4B.) As further explained in Reed, mechanism 140 can levitate the sensor member 120 vertically to a proximately spaced position from the substrate 110. (Reed, p. 3, ¶ [0054], ll. 7-14.) However, Reed fails to teach that the substrate surrounds the carrier and that the carrier is able to move along an horizontal plane in parallel to the carrier, as required by Applicants' Claim 38.

Therefore, the cited passages of Reed fail to teach every feature recited in Applicants' Claim 38, so that Claims 38-74 are believed to be patentably distinct over Reed.

Accordingly, Applicants respectfully traverse, and request reconsideration of the rejection based on Reed.¹

Independent Claim 75 is directed to a device for measuring radiant energy, where the carrier means is mobile relative to the substrate, and the reading means is mobile. Such feature is also not taught in Reed. The pending Office Action has rejected these features, that were previously presented in dependent Claim 40, by asserting that contacts 126 and 127 are part of the reading means. (Office Action, p. 4, ll. 6-8.) However, in Reed the contacts 126, 127 are integrated into the sensor member 120, **and not** into the substrate. (Reed, Fig. 6A) Therefore, the cited passages of Reed also fails to teach all the features of Applicants' independent Claim 75.

The reference Belcher, used by the pending Office Action to form a 35 U.S.C. § 103(a) rejection, fails to remedy the deficiencies of Reed, even if we assume that such a combination is proper. (Office Action, p. 9, ll. 1-12.) Belcher is directed to a thermal imaging system 20 where a thermal isolation structure 50 is disposed on an integral circuit substrate 70 for electrically bonding a focal plane area. (Belcher, Abstract, ll. 1-6, Figs. 3-4.) However, the cited passages of Belcher fail to teach anything related to the substrate and the carrier, as recited in Applicants' independent Claims 38 and 75.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 38-96 is earnestly solicited.

¹ See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

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